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TOR:091202Z JUL 76

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TO RUQMUGU/AMEMBASSY ANKARA 6401

INFO RUQMAT/AMEMBASSY ATHENS 6707

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BT

C O N F I D E N T I A L STATE 169954

E.O. 11652: GDS

TAGS: PLOS, TU

SUBJECT: LOS - DELIMITATION OF TERRITORIAL SEA, EXCLUSIVE ECONOMIC ZONE AND CONTINENTAL SHELF

REF: STATE 159705

1) TURKISH EMBASSY DCM, NURES, CAME TO THE DEPT. ON JULY 6 TO RECEIVE OUR COMMENTS ON THE PAPER HE PRESENTED ON JUNE 24 (REFTEL).

2) WE INFORMED NURES THAT THE DEPARTMENT HAD REVIEWED IN A PRELIMINARY MANNER THE PAPER HE HAD GIVEN US ON THE TURKISH POSITION. NOTING THAT WE APPRECIATE THE CONCERNS OF THE TURKISH GOVERNMENT WE SAID THAT AT THE SAME TIME WE APPRECIATE THE CONCERNS OF THOSE WHO HAVE A CONTRARY POINT OF VIEW. WE STRESSED THAT DELIMITATION ISSUES ARE ESSENTIALLY BI-LATERAL CONCERNS, THE SPECIFICS OF WHICH IT IS INAPPROPRIATE TO ATTEMPT TO SOLVE IN THE LOS NEGOTIATIONS. THE TREATY CAN HOWEVER PROVIDE THE GENERAL FRAMEWORK IN WHICH BI-LATERAL SOLUTIONS MAY BE PURSUED. WE ALSO NOTED THAT SHOULD THE LOS TEXT TILT TOO FAR IN EITHER DIRECTION IT WOULD CREATE SERIOUS PROBLEMS FOR THE "AGRIEVED PARTY". WE THEREFORE TOLD NURES THAT WE HOPED THAT ALL PARTIES COULD AGREE TO A TEXT WHICH IS GENERAL IN NATURE AND PROVIDES THE FRAMEWORK FOR AGREEMENT AND THIRD PARTY SETTLEMENT IN THE ABSENCE OF AGREEMENT BETWEEN THE PARTIES.

3) NURES DISPUTED SOMEWHAT DEFENSIVELY THE IMPLICATION THAT TURKEY WANTED TO SEE THE TEXT "TILT" IN ITS DIRECTION. HE AGAIN ARGUED STRONGLY FOR MORE SPECIFICITY IN ARTICLES 14, 62, AND 71 ALONG THE LINES OF THE TURKISH EMBASSY'S JUNE 24 PAPER, INDICATING HOW FUNDAMENTAL AN ISSUE THIS WAS FOR TURKEY. WE STRESSED THAT WE THOUGHT IT UNDESIRABLE AND INFEASIBLE TO TRY TO BE MORE SPECIFIC ABOUT THE ISSUE OF DELIMITATION IN VIEW OF THE GREAT VARIETY OF "SPECIAL CIRCUM-

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STANCES" AFFECTING SCORES OF DISPUTANT PARTIES. WE SAID THE US FAVORS A TEXT WHICH PROVIDED A FRAMEWORK IN WHICH DISPUTANT PARTIES CAN WORK OUT THEIR DIFFERENCES IN AN EQUITABLE WAY.

4) NURES REITERATED THAT THE TURKS WANT THE NEXT SESSION OF THE CONFERENCE TO REOPEN THE ISSUE OF DELIMITATION, AND ARE CURRENTLY PRESENTING THEIR VIEWS TO A NUMBER OF COUNTRIES IN ADDITION TO THE US. HE WAS ANXIOUS TO KNOW WHAT OUR VIEW WOULD BE ON THE ISSUE BEING REOPENED. WHILE INDICATING THAT WE WERE NOT ANXIOUS TO HAVE ESSENTIALLY BILATERAL ISSUES PREOCCUPY THE CONFERENCE, WE STATED SIMPLY THAT IF THE CONFERENCE AGREED TO VARIOUS LANGUAGE CHANGES INCLUDING A REFERENCE TO "SPECIFIC CIRCUMSTANCES", THE US WOULD NOT SWIM AGAINST THE STREAM. NURES APPEARED TO BE GRATIFIED BY THIS GENERALIZED ASSERTION, INDICATING THAT IT WOULD BE OF PARTICULAR INTEREST TO HIS AUTHORITIES IN ANKARA. KISSINGER

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